



CITY OF LODI

COUNCIL COMMUNICATION

SUBJECT: Uniform Fire Code Appeal of
J.J.S. Warehouse

DATE: December 19, 1990

PREPARED BY: Fire Chief

RECOMMENDED ACTION: That the City Council hear all evidence pertaining to this matter and make a determination as to the correct application of the fire code or that the true intent and meaning of the fire code has not been misconstrued or wrongly interpreted.

BACKGROUND INFORMATION: On July 27, 1990 an inspection of the premises was conducted by Fire Marshal Steven Raddigan. This inspection revealed that storage of flammable liquids was in violation of the Uniform Fire Code as adopted by the City of Lodi. Specifically, the quantity of flammable liquids stored is in excess of the amounts permitted and the manner of storage is not as required by the Fire Code. A letter was sent on July 31, 1990 outlining the requirements of the Fire Code and requesting that the necessary corrections be made. (Exhibit A)

Over a period of time, there had been communication with Mr. Sitter regarding the intent of the fire code. A formal interpretation of Section 79.201(e)3ii was requested from I.C.B.O. (Exhibit B) This section pertains to the maximum quantity of flammable liquids to be stored and the method for determining that quantity.

Mr. Sitter also contends that the business was established as a general purpose warehouse under the 1979 edition of the fire code and should not be required to be brought into compliance with the current fire code.

After a review of the 1979 edition of the Uniform Fire Code, the Fire Marshal made a determination that the provision for a general purpose warehouse did not apply. On September 12, 1989 a letter was sent to Mr. Sitter explaining the provision of the 1979 edition of the Uniform Fire Code and why this particular building did not meet the requirements of a general purpose warehouse. (Exhibit C)

On September 28, 1990 a another letter was sent which also explained the provisions of the applicable sections of the 1979 and 1988 editions of the Uniform Fire Code. (Exhibit D)

On September 28, 1990, a NOTICE OF FIRE HAZARD and ORDER TO ABATE was sent to Mr. Sitter by registered mail. (Exhibit E)

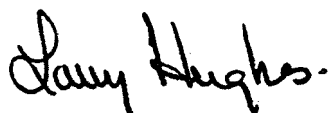
APPROVED: _____

THOMAS A. PETERSON
City Manager

Uniform Fire Code Appeal -
J.J.S. Warehouse
December 19, 1990
Page Two

On October 26, 1990, a NOTICE OF APPEAL was received from Mr. Sitter (Exhibit F) .

A review of the documents found in the business file revealed that on April 17, 1985 a Certificate of Inspection was issued by Fire Marshal Stan Rall requiring that flammable liquid storage shall be in the inside liquid storage and handling room. (Exhibit G) In addition, fire sprinkler plans show a small area of the storage warehouse that was designed to protect flammable liquids outside of the storage and handling room. (Exhibit H) This extra-hazard protection provided for a maximum quantity of 120 gallons of Class 1-B flammable liquids in areas open to the public, This information is consistent with the findings of Fire Marshal Steven Raddigan as they relate to the application of the 1979 edition of the Uniform Fire Code.

A handwritten signature in cursive script that reads "Larry Hughes".

Larry Hughes
Fire Chief

Prepared by Steven Raddigan, Fire Marshal

CITY OF LODI

FIRE DEPARTMENT

RAE PREVENTION BUREAU
210 WEST ELM STREET
LODI, CALIFORNIA 95240

(209) 333-6739

July 31, 1989

J. J. S. Warehouse
Attn: Anton N. Sitter
23 Maxwell Street, #C
Lodi, CA 95240

Dear Mr. Sitter:

RE: FIRE INSPECTIOS - 23 MAXWELL STREET

On July 27, 1989, I conducted an inspection of the premises indicated above. This inspection revealed conditions that are present that do not comply with applicable codes and ordinznnces.

I have a serious concern about the quantity of flammable liquids stored outside of the storage room. A research of the building history has provided the following information:

1. The storage room was built in about October 1981.
2. A sprinkler system was installed at that time to provide extra hazard protection in the storage room and ordinary hazard in the warehouse area for storage up to 12 feet in height.
3. The front office was not part of the warehouse.
4. That on April 2, 1985 a notice was issued to store flammable liquids in the inside storage room.

Provisions regarding the storage of flammzble liquids are contained in the Uniform Fire Code and are:

The storage of flammable liquids in rooms or areas not accessible to the public shall not exceed the greater of 2 gallons per square foot of floor area actually being used for the storage of Class I-B, I-C, II or 111-A liquids, or 120 gallons of Class I-B, 180 gallons of Class I-C, 240 gallons of Class II or 660 gallons of Class 111-A liquids, or 240 gallons in any combination of Class I and Class II liquids subject to the limitations of the individual class.

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The storage of Class I- Aflammable liquids in rooms or areas not accessible to the public shall not exceed 1 gallon per square foot of floor area actually being used for storage, or 60 gallons, whichever is greater.

The maximum quantity permitted shall be determined by using only the floor area actually occupied by liquid merchandise, including any contiguous aisle space.

Quantities exceeding these limitations shall be stored in an approved liquid storage room or liquid storage warehouse.

The following describes the manner of storage:

Containers under 30-gallon capacity shall not be stacked more than 3 feet or 2 containers high, whichever is greater, unless on fixed shelving or otherwise satisfactorily secured.

Storage shall **not** be closer than 3 feet to the nearest beam, chord, girder or other obstruction.

Storage shall be 3 feet below sprinkler deflectors.

In areas that are not accessible to the public, Class I, II and III- Aliquids shall not be stored in the same pile or rack section as ordinary combustible commodities except when they are packaged together as kits.

Leaking containers shall be taken to a safe location in an area not accessible to the public and contents transferred to an undamaged container.

In order to meet the provision of the code, it will be necessary **to** group all flammable and combustibie liquids on **the same rack** sections and then determine the quantity that will be permitted based on square footage and flammable liquid classification.

The possibility exists that you are exceeding the allowable quantities outside of the storage **room**.

There are additional conditions present chat **will** require correction:

1. All storage above the west office is to be **18** inches below the sprinkler heads.
2. Combustible waste material shall be stored in metal or metal-lined containers with tight-fitting **lids**. The cardboard barrels and cardboard **box** in the front office must be removed.

J. J. S. Warehouse
July 31, 1989
Page 3

3. The manner of storage for shipping boxes creates a hazard because of location and method of storage. A quantity not exceeding 100 cubic feet is permitted in a metal or metal-lined container equipped with a self-closing cover. A quantity exceeding 100 cubic feet **must** be stored in a room separated from the remainder of the building by a one-hour occupancy separation.
4. The flammable liquid storage room requires two exits..

A reinspection is scheduled for August 15, 1989 and will be conducted on or about that date.

If you have any questions, please contact me.

Sincerely in service,


Steven Raddigan
Fire Marshal

SR/lm

cc: Don Linn



Western Fire Chiefs Association, Inc.

Organized September 30, 1891

5360 SOUTH WORKMAN MILL ROAD • WHITTIER, CALIFORNIA 90601 • (213) 699-0124

January 22, 1990

Mr. Steven Raddigan
Fire Marshal
City of Lodi
Fire Department
Fire Prevention Bureau
210 West Elm Street
Lodi, California 95240

Subject: Section 79.201 (e)ii
Uniform Fire Code, 1985 Edition

Dear Mr. Raddigan:

Your letter of December 15, 1989 has been forwarded to me for response.
Your questions and our answers are as follows:

Q1: If the square footage formula allows for 1,200 gallons of Class I-B, is it the intent of this section to limit quantities to 120 gallons of Class I-B Outside of storage rooms or to permit the 1,200 gallons outside of storage rooms?

A1: Section 79.201 (e)ii allows the greater amount as determined by the fixed quantity or the density formula; in this case, 1,200 gallons. Note that quantities determined by the density formula are actual densities over the area used for storage of flammable and combustible liquids and contiguous aisles. Quantities are not determined by averaging over the gross floor area. Additionally, the requirements of Section 79.201 (f) apply.

Q2: If the greater quantity of 1,200 gallons of Class I-B is permitted outside of storage rooms, would the building be required to meet the Building Code requirement for an Group H Occupancy?

A2: No, when in compliance with provisions set forth in A1.



Mr. Steven Raddigan
January 30, 1990
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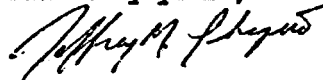
Q3: In using the square footage formula, and having an area of 150 square feet, the formula provides for 300 gallons of Class I-B. If shelving is used, can 300 gallons be placed on each shelf?

A3: No. The density method uses the gross quantity of liquid over the actual storage area and contiguous aisle space surrounding the actual storage area. If the shelves and the contiguous aisles cover 150 square feet than a total of 300 gallons of Class I-B liquid is allowed on the shelves.

For your information, revisions to the requirements for the storage of flammable and combustible liquids (Article 79) are currently being considered for the 1991 edition.

If you should need to discuss this further, please feel free to call.

Sincerely yours,



/s/ Raymond Bizal
Staff Engineer, Codes

RB:ec

CITY OF LODI
FIRE DEPARTMENT

FIRE PRMMION BUREAU
210 WEST ELM STREET
LODI, CALIFORNIA 95240

(209) 333-6739

September 12, 1989

J.J.S. Warehouse
Attn: Anton N. Sitter
23 Maxwell Street, #C
Lodi, CA 95240

Dear Mr. Sitter:

RE: FLAMMABLE LIQUID STORAGE - 23 MAXWELL STREET

A review of the information provided indicates that the **1979** Uniform Fire Code was adopted at the time you began operating your business.

Division IV of Article **79** outlines the requirements for container and portable tank storage. Two occupancy types are listed that are similar to your type of business. These are: **1)** mercantile and other retail occupancies, and **2)** general purpose warehouse. The Uniform Fire Code provides a definition of a mercantile occupancy as the occupancy or use of a building or structure or any portion thereof for displaying, selling or buying of goods, wares or merchandise. There is no definition of a general purpose warehouse in the Uniform Fire Code, however, I **was** able to locate a definition in the National Fire **Codes** and Standards. As defined in NFPA 30, a general purpose warehouse is a separate, detached building or portion of a building used only for warehousing-type operations.

There are specific requiremeqts for each occupancy outlined in the **1979** Uniform Fire Code. General purpose warehouse storage **shall** be in accordance with Table No, **79.402A** and shall be in noncombustible or fire-resistive buildings or **in** portion of such buildings cut off by two-hour fire walls. A mercantile and other retail occupancies have a significant reduction in approved quantities outside of flammable liquid storage rooms. There is a requirement that quantities exceeding those amounts be stored in flammable liquid storage rooms. There is no such requirement for general purpose warehouses.

A review of building plans indicates that there was a specific requirement for the construction of a liquid storage room. Other new construction is of one-hour construction. This information leads me to believe that because of the type of building construction, this building did not qualify as a general purpose warehouse and that a portion of the main building cut off by two-hour fire walls was constructed. However, even this room did not meet the requirements for exiting under **79 UBC 3318**.

In applying both the Uniform Fire Code and the Uniform Building Code adopted at the time you began your business, and comparing these Codes to the current operation, the building would be classified as an **H2** Occupancy. The **1979** Uniform Building Code limits the building area to 1,500 square feet unless there is more than 30 feet from all property lines including property lines adjacent to public ways. As previously stated, the Uniform Fire Code requires buildings to be noncombustible or fire-resistive or in portions of such buildings cut off by two-hour fire walls.

Your building did not meet those requirements for a general purpose warehouse. This provides the reason why the Building and Fire Departments seemed so confused when trying to address your needs. You could not be a general purpose warehouse by building construction and area limitations, and you were not, by definition, a mercantile or other retail occupancy. Both departments attempted to apply portions of the Code from each category. The overall intent was to have the flammable and combustible liquids in excess of a-determined amount stored in the storage room. There is nothing in the Codes that required only the paint thinner to be stored in this room.

The **1982** edition of the Uniform Fire Code eliminated the general purpose warehouse and set the same requirements for wholesale and retail stores while creating a section for miscellaneous industrial buildings. These requirements increase approved quantities outside of storage rooms from those when you began operating your wholesale business.

It is my interpretation that your storage requirements in 1981 were more restrictive than today's requirements. This is based on the building not meeting requirements for a general purpose warehouse. It is also my interpretation that your storage needs to comply with the following:

The storage of flammable liquids in rooms or areas not accessible to the public shall not exceed the greater of 2 gallons per square foot of floor area actually being used for the storage of Class **I-B**, **I-C**, **II** or **III**- Aliquids, or 120 gallons of Class **I-B**, 180 gallons of Class **I-C**, 240 gallons of Class **II** or 660 gallons of Class **III**- Aliquids, or 240 gallons in any combination of Class **I** and Class **II** liquids subject to the limitations of the individual class.

The storage of Class I- A flammable liquids in rooms or areas not accessible to the public shall not exceed 1 gallon per square foot of floor area actually being used for storage, or 60 gallons, whichever is greater.

The maximum quantity permitted shall be determined by using only the floor area actually occupied by liquid merchandise, including any contiguous aisle space.

Quantities exceeding these limitations shall be stored in an approved liquid storage room or liquid storage warehouse.

The following describes the manner of storage:

Containers under 30-gallon capacity shall not be stacked more than 3 feet or 2 containers high, whichever is greater, unless on fixed shelving or otherwise satisfactorily secured.

Storage shall not be closer than 3 feet to the nearest beam, chord, girder or other obstruction.

Storage shall be 3 feet below sprinkler deflectors.

In areas that are not accessible to the public, Class I, II and III-A liquids shall not be stored in the same pile or rack section as ordinary combustible commodities except when they are packaged together as kits.

Leaking containers shall be taken to a safe location in an area not accessible to the public and contents transferred to an undamaged container.

To answer some of the questions raised during our meeting on August 11, 1989, I provide the following:

1. In referring to the National Fire Codes, they would be used when a specific issue is not addressed in the Uniform Fire Code. In this case, the storage of flammable liquids is addressed in the Uniform Fire Code and reference is not made to the National Fire Code.
2. Storage inside the liquid storage room is permitted on shelving of noncombustible construction or of wood not less than 1 inch nominal thickness.
3. A girder is defined as a horizontal main structural member (as in a building or bridge) that supports vertical loads and that consists of a single piece or of more than one piece bound together.

J.J.S. Warehouse
September 12, 1989
Page 4

4. I would accept a fire sprinkler head inside the metal box. used for the storage of shipping boxes in lieu of one-hour fire-resistive construction.
5. Any expansion of the current storage room will be in accordance with the applicable Codes.

I understand that these requirements will have an affect on storage procedures and will require a change in maintaining inventory and filling orders. I don't expect you to move inventory and then not be able to find it. I am sure a reasonable time period can be established that allows ample time to make the necessary adjustments without disregard for fire safety.

Your continued cooperation is appreciated.

Sincerely in service,



Steven Raddigan
Fire Marshal

SR/lm

CITY OF LODI**FIRE DEPARTMENT****FIRE PREVENTION BUREAU****217 WEST ELM STREET****LODI, CALIFORNIA 95240****(209) 333-6739**

September 28, 1990

Mr. Anton N. Sitter
J.J.S. Warehouse
23 Maxwell Street #C
Lodi, CA 95240

Dear Mr. Sitter:

RE: FIRE INSPECTION - 23 MAXWELL STREET, LODI

On September 27, 1990, I met with you and your son in your office to discuss the flammable liquid storage requirements. At that time, **you** submitted a rack storage configuration and requested that I determine the maximum allowable quantities to be stored. Several comments were made concerning the application and interpretation of codes. I would like to remind you that you may appeal any interpretation that you feel is incorrect.

Prior to stating the requirements under existing code, I would like to present information concerning the applicable codes adopted at the time you began your business.

UNIFORM FIRE CODE - 1979 EDITION

Two occupancy types are listed that are similar to your type of business. These are: 1) Mercantile and Other Retail Occupancies, and 2) General Purpose Warehouse. There are specific **requirements for each type.**

GENERAL PURPOSE WAREHOUSE

A general purpose warehouse shall be of non-combustible or fire-resistive construction or in portions of buildings cut-off by two hour fire walls.

The building you presently occupy did not meet the requirement of non-combustible or fire-resistive construction. Storage would then need to be in portions of the building cut-off by two-hour fire walls. A sprinkler or equivalent fire protection system meeting extra hazardous design would also be required throughout the storage area.

23 Maxwell St.
September 28, 1990
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Storage permitted in general purpose warehouses is as follows:

Maximum Allowable Storage		Maximum Height
Class 1A	2750 gallons	3 feet
Class 1B	5500 gallons	6 feet

If a combination of classes was stored in the same pile, the maximum gallonage permitted in that pile would be the smallest of the two gallonages.

If you had installed a fire sprinkler system to meet extra hazard protection and constructed two-hour fire walls around the storage area, then you would have been a general purpose warehouse.

MERCANTILE AND OTHER RETAIL OCCUPANCIES

In rooms or areas accessible to the public, quantities were limited to 2 gallons per square foot of gross floor area being used. In unsprinklered buildings, the quantity could not exceed 30 gallons of Class I-A, 60 gallons of Class I-B, 90 gallons of Class I-C, 120 gallons of Class II or any combination of flammable liquids totaling 120 gallons. In sprinklered buildings, the quantity could be doubled.

All quantities exceeding these limitations were required to be in a room or portion of the building that complies with provisions for an inside storage and handling room as provided in Section 79.404.

DESIGN AND CONSTRUCTION OF INSIDE STORAGE AND HANDLING ROOM

Inside storage and handling rooms must meet the following requirements:

1. Constructed to meet requirements of Group H, Division 2 occupancies.
2. Sprinkler systems designed for extra hazardous locations may increase allowable storage.
3. Openings to the room shall be provided with a non-combustible liquid tight raised sills or ramps at least four (4) inches in height.
4. Electrical wiring shall be approved for Class I, Division I locations.

5. Ventilation shall be designed to provide for a complete change of air within the room at least six times per hour.
6. Heating shall be restricted.
7. Explosion venting shall be provided.
8. Exits shall be in accordance with the building code.

Storage is limited to the following:

1. A quantity of 5000 gallons would be permitted in rooms of two-hour construction having a maximum area of 500 square feet and provided with an automatic extinguishing system.
2. There shall be at least one aisle with a minimum width of three (3) feet.
3. Containers under 30 gallons capacity shall not be stacked more than 3 feet or two containers high.

After a review of documents, it is my opinion that actions were taken by you to meet the requirements of mercantile and other retail occupancies because the building did not meet construction requirements for a general purpose warehouse. This opinion is based on the following:

1. A fire sprinkler system was installed meeting a design for ordinary hazard except for a small area along the south wall which was designed for extra hazard. A probable reason for this was to maximize on the quantities of flammable liquids outside of a storage room.
2. A storage room was built that:
 - a. did not exceed 500 square feet.
 - b. was protected by fire sprinklers for extra hazard locations.
 - c. was constructed of two-hour fire walls.
 - d. using electrical components meeting hazardous location requirements.
 - e. provided for ventilation.
 - f. provided for a four (4) inch ramp at openings.

In addition, notes on building plans indicated that storage was to be in accordance with U.F.C. 79.409 (1979) and in 1985, a notice was issued requiring flammable liquids to be in the inside storage and handling room.

This was **not** intended to **be** a general purpose warehouse for the following reasons:

1. New construction involved the use of some one-hour fire walls instead **of** all two-hour fire walls **as** required for a warehouse.
2. The fire sprinkler system installed did not meet the design **for** a warehouse storing flammable liquids.
3. There is not a requirement under general purpose warehouses to construct rooms **or** portions of buildings having four inch ramps, electrical components for hazardous locations and ventilation.

It was to your advantage to design as a mercantile or other retail occupancy. A general purpose warehouse would have required a full height two-hour fire wall and a sprinkler system meeting a design for extra hazard locations. The quantity of storage permitted would have been 5500 gallons with possible limitations because of mixed classes of flammables. This could have resulted in a maximum allowable of **2750** gallons. The quantity of storage as a fire sprinklered mercantile or retail occupancy having a storage room would have been **5240** gallons.

As stated in a previous letter, the requirements **were** more restrictive under the **1979** Uniform Fire Code than under the **1988** Uniform Fire Code.

The current code provides for the following:

WHOLESALE AND RETAIL STORES

In **rooms** or areas accessible **to** the public, storage shall be limited **to** quantities:

1. The amount of flammable liquid that may be stored in this building in rooms or areas not accessible to the public shall not exceed the greater of 2 gallons per square foot of floor area actually being used for the storage of Class I-B, I-C, **II** or **111-A** liquids.
2. The storage of Class I-A flammable liquids in rooms or areas not accessible to the public **shall** not exceed **1** gallon per square foot of floor area actually being used for storage.

3. The maximum quantity permitted shall be determined by using only the floor area actually occupied by liquid merchandise, including any contiguous aisle space.
4. Quantities exceeding these limitations shall be stored in an approved liquid storage room or liquid storage warehouse.
5. The manner of storage shall be as follows:
 - a. Containers under 30-gallon capacity shall not be stacked more than 3 feet or 2 containers high, whichever is greater, unless on fixed shelving or otherwise satisfactorily secured.
 - b. Storage shall not be closer than 3 feet to the nearest beam, chord, girder or other obstruction,
 - c. Storage shall be 3 feet below sprinkler deflectors.
 - d. In areas that are not accessible to the public, Class I, II and III-A liquids shall not be stored in the same pile or rack section as ordinary combustible commodities except when they are packaged together as kits.
 - e. Lacking containers shall be taken to a safe location in an area not accessible to the public and contents transferred to an undamaged container.

After a review of the proposed rack storage plan, I have determined the following:

1. The maximum quantity of flammable liquids shall be 3648 gallons. At this time, I considered all liquids to be Class 1-B. I will continue to do so unless it becomes clear that you are storing Class 1-A liquids in excess of the one (1) gallon per square foot limitation. This would be determined by the storage of Class 1-A containers having a capacity of 5 gallons or more or storage of an appreciable amount of known Class 1-A flammable liquids,
2. The maximum quantity allowed for racks twenty-five (25) feet in length shall be 682 gallons.

3. The maximum quantity allowed for rack twenty (20) feet in length shall be 572 gallons.
4. No storage of flammable liquids shall be permitted on the top shelf of any rack.
5. Manner of storage of containers shall be as follows:
 - a. Containers under 30-gallon capacity shall not be stacked more than 3 feet or 2 containers high, whichever is greater, unless on fixed shelving or otherwise satisfactorily secured.
 - b. Storage shall not be closer than 3 feet to the nearest beam, chord, girder or other obstruction.
 - c. Storage shall be 3 feet below sprinkler deflectors.
 - d. In areas that are not accessible to the public, Class I, II and III- Aliquids shall not be stored in the same pile or rack section as ordinary combustible commodities except when they are packaged together as kits.
 - e. Leaking containers shall be taken to a safe location in an area not accessible to the public and contents transferred to an undamaged container.

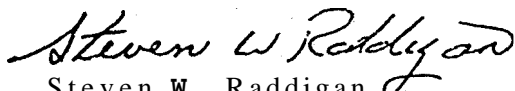
During our conversation, you stated that it would take approximately three (3) months to complete the rearrangement of the rack storage. I find this to be acceptable.

I have enclosed a NOTICE OF FIRE HAZARD AND ORDER TO ABATE. This is being issued because of the comments made regarding the inability to operate with a reduced inventory and the inability to afford additional storage space.

Also, as requested, I have enclosed copies of the applicable fire code sections,

If you have any questions, please contact me.

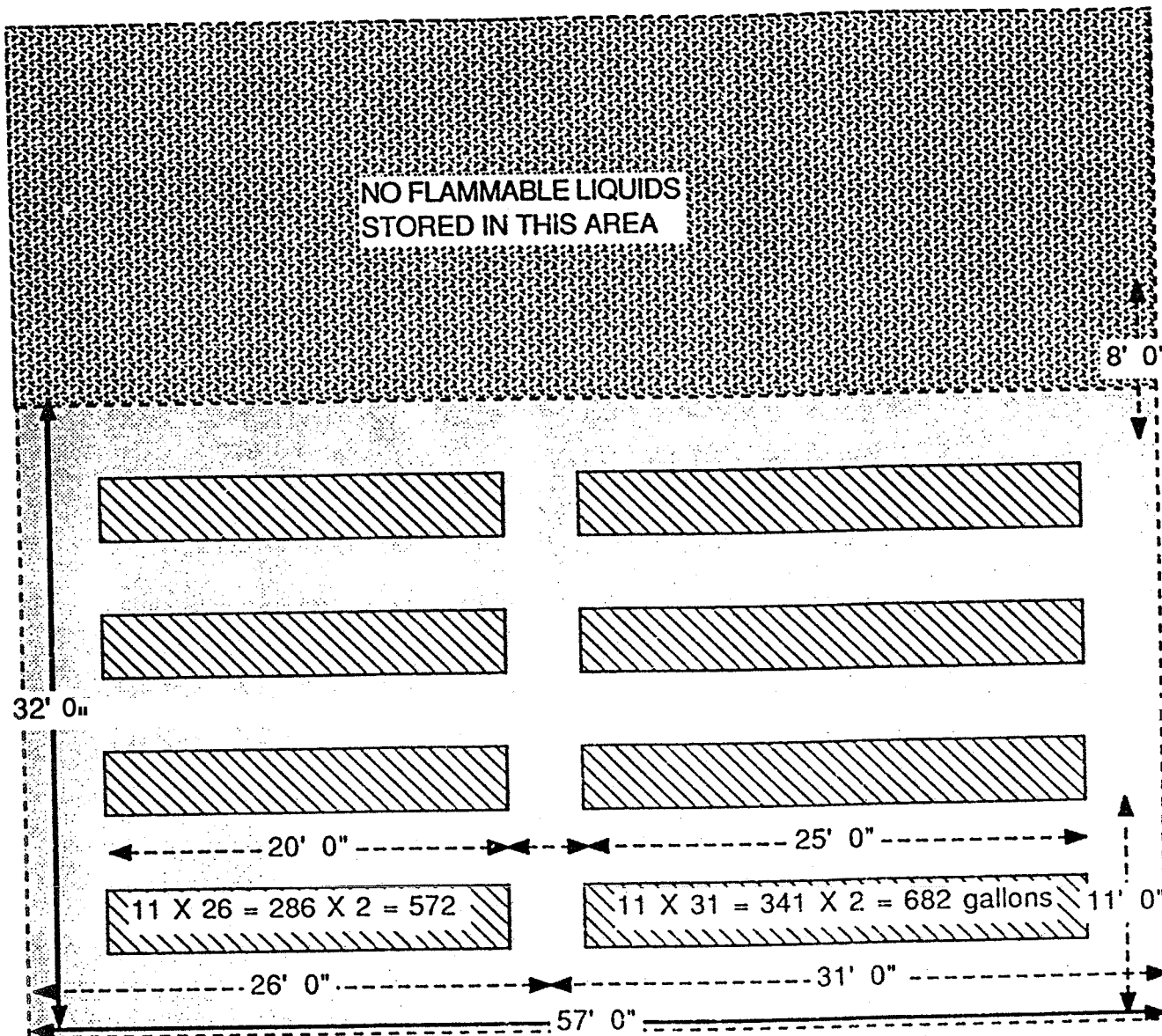
Sincerely In Service,


Steven W. Raddigan
Fire Marshal

SR/lh

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JJS WAREHOUSE - 23 Maxwell Street



Storage Area: 1824 square feet

Maximum quantity permitted in storage area: 3648 gallons

Maximum quantity permitted on 25' racks: 682 gallons

Maximum quantity permitted on 20' racks: 572 gallons

Total aggregate quantity shall not exceed 3648 gallons

CITY OF LODI

FIRE DEPARTMENT

FIRE PREVENTION BUREAU
217 WEST ELM STREET
LODI, CALIFORNIA 95240

(209) 333-8739

NOTICE OF FIRE HAZARD AND ORDER TO ABATE

September 28, 1990

Mr. Anton N. Sitter
J.J.S. Warehouse
23 Maxwell St. #C
Lodi, CA 95240

Dear Mr. Sitter:

RE: 23 MAXWELL STREET, LODI

NOTICE OF FIRE HAZARD

Records indicate that you are the current occupant of the real and improved property in the City of Lodi, County of San Joaquin, State of California described as follows: Assessor Parcel No. **062-050-0004**. Said property is more commonly known as 23 Maxwell Street, Lodi, CA 95240.

As the occupant, you are hereby notified that the undersigned **Fire Marshal of the City of Lodi** has inspected said property and has found conditions which create a **FIRE HAZARD** that are in violation of the Uniform Fire Code as adopted by the City of Lodi.

INSPECTIONS AND VIOLATIONS

On September 24, 1990, the undersigned Fire Marshal caused said property to be inspected. The following violations were discovered:

1988 Uniform Fire Code

Sec. 79.201(E)3(ii). In rooms or areas not accessible to the public storage of flammable and combustible liquids shall not exceed the greater of 2 gallons per square foot of floor area actually being used for the storage of Class I-B, I-C, II or ISI-A liquids, or 120 gallons of Class I-B, 180 gallons of Class I-C, 240 gallons of Class II or 660 gallons of Class III-A liquids, or 240 gallons in any combination of Class I and Class II liquids, subject to the limitation of the individual class. Storage of Class I-A liquids shall be prohibited in basements and limited to 1 gallon per square foot or 60 gallons, whichever is greater, on other floors.

Quantities exceeding these limitations shall be stored in an approved liquid storage room or liquid storage warehouse in accordance with Sections 79.202 and 79.203.

The manner of storage shall be in accordance with Subsection (f) of this section.

VIOLATIONS:

1. Flammable and combustible liquids are stored in quantities in excess of the allowable permitted,
2. Quantities exceeding these limitations are not stored in an approved liquid storage room.
3. The manner of storage is not in accordance with Subsection (f) of this section.

Sec. 79.201(f) Containers under 30-gallon capacity shall not be stocked more than 3 feet or 2 containers high, whichever is greater, unless on fixed shelving or otherwise satisfactorily secured.

Storage shall not be closer than 3 feet to the nearest beam, chord, girder or other obstruction.

Storage shall be 3 Feet below sprinkler deflectors.

In areas that are not accessible to the public, Class I, II and III-A liquids shall not be stored in the same pile or rack section as ordinary combustible commodities except when they are packaged together as kits.

Leaking containers shall be taken to a safe location in an area not accessible to the public and contents transferred to an undamaged container.

23 Maxwell St.
September 28, 1990
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VIOLATIONS :

1. Containers under 50-gallon capacity are stored more than three containers high or more than three feet high,
2. Storage is closer than three (3) to the nearest beam, chord, or girder.
3. Ordinary combustible commodities are stored in the same rack section as flammable liquids,

DETERMINATION

As a result of the forgoing violations, the undersigned Fire Marshal has declared that a **FIRE HAZARD** exists on the property and has made the following determination:

1. The storage of flammable liquids shall be limited to 2 gallons per square foot of actual storage area and in a manner as required by the fire code.

TIME PERIOD FOR COMPLIANCE

1. The storage of flammable liquids shall be as required by the fire code within **90** days.

ORDER TO ABATE

Pursuant to Section 15.20.030 of the Lodi Municipal Code, this Notice constitutes an **ORDER** to **you**, the occupant of the property in question, TO ABATE the conditions listed herein in a manner and within the time determined above.

APPEAL

Whenever the Fire Chief disapproves an application or refuses to grant a permit applied for, or when it is claimed that the provisions of the fire prevention code do not apply or that the true intent and meaning of the fire prevention code has been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the Fire Chief to the City Manager within thirty days from the date of the decision appealed.

23 Maxwell St.
September 28, 1990
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FAILURE TO COMPLY

No person, whether as owner, lessee, sublessee or occupant, shall use, occupy or maintain any occupancy, premises, or vehicle or cause or permit the same to be done, contrary to or in violation of any of the provisions of this fire code or any lawful order issued by the Fire Chief or his authorized representatives under this chapter. Any person violating the provisions of this section is guilty of a misdemeanor for each day such violation continues.


Steven W. Raddigan
Fire Marshal

SR/lh

cc: Chief Building Inspector
City Attorney
K.D. & R.V. Gamblin

OCT 26 1990
City Attorney's Office

NOTICE OF APPEAL

Thomas A. Peterson
City Manager
City of Lodi
City Hall
221 West Pine Street
Lodi, California ,95240

Re: 23 Maxwell Street, Lodi, California

Dear Sir:

The undersigned, Anton N. Sitter, owner of J.J.S. Yarehouse located at 23 Maxwell Street, Building C, Lodi, California, hereby appeals from the Notice of Fire Hazard dated September 28, 1990, under the applicable provisions of the Uniform Fire Code and Lodi Municipal Code.

Dated: October 24, 1990



ANTON N. SITTER

cc: Robert McNatt, City Attorney
Fire Chief

W. Elm Street
Lodi, CA 95240
(209) 363-2737

CERTIFICATE OF INSPECTION

EXHIBIT
Date 4-2-85

REPORT

Firm Name J. L. ... Warehouse

Address 23 Maxwell St.

Owner/Mgr. Louie Litter

Address _____

Insurer _____

Address _____

Occupancy 1

Reinspection 7-11-85

[illegible]

A reasonable degree of fire & life safety exists at this time.

time periods is a violation of the

Fire Prevention Bureau

Inspector

EXHIBIT H

NOTE: SHADED AREA DENOTES
EXTRA HAZARD 90W PER
SPKR, EXTRA HAZARD
PIPE SCHEDULE.

ING TO
A10L/OR
D JAIL

SEP DETAIL

EXISTING BUILDING
NO A.S

NOTICE OF CONTINUED PUBLIC HEARING
TO CONSIDER THE APPEAL OF J. J. S. WAREHOUSE
TO THE NOTICE OF FIRE HAZARD AND ORDER TO ABATE
ISSUED BY THE LODI FIRE DEPARTMENT ON SEPTEMBER 28, 1990

NOTICE IS HEREBY GIVEN that on Wednesday, December 19, 1990 at the hour of 7:30 p.m., or as soon thereafter as the matter may be heard, the Lodi City Council will conduct a public hearing to consider the appeal of J. J. S. Warehouse to the Notice of Fire Hazard and Order to Abate issued by the Lodi Fire Department on September 28, 1990.

Information regarding this matter may be obtained in the office of the City Clerk. All interested persons are invited to present their views. Written statements may be filed with the City Clerk at any time prior to the hearing scheduled herein and oral statements may be made at said hearing.

If you challenge the subject matter in court you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered to the City Clerk at, or prior to, the public hearing.

Dated: November 28, 1990

By Order of the Lodi City Council

Alice M. Reimche
Alice M. Reimche
City Clerk